

LEGISLATURE OF THE STATE OF IDAHO
Sixty-second Legislature Second Regular Session - 2014

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 640

BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2015; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2015; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2015; PROVIDING LEGISLATIVE INTENT RELATING TO THE IDAHO DIGITAL LEARNING ACADEMY; DIRECTING THE USE OF \$2,444,300 OF TOBACCO, CIGARETTE AND LOTTERY INCOME TAX MONEYS; DIRECTING THE USE OF \$6,440,000 FOR LITERACY PROGRAMS AND REMEDIATION; DIRECTING THE USE OF \$3,950,000 FOR LIMITED ENGLISH PROFICIENCY PROGRAMS; DIRECTING THE STATE DEPARTMENT OF EDUCATION TO COMPILE INFORMATION ON ADVANCED OPPORTUNITIES; DIRECTING THE USE OF \$4,000,000 FOR THE PURCHASE OF CONTENT AND CURRICULUM; AND DEFINING THE TERM "DISTRIBUTED."

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. The following amount shall be expended for the Public Schools Educational Support Program/Division of Children's Programs for the period July 1, 2014, through June 30, 2015:

FROM:

General Fund	\$23,860,600
Public Schools Other Income	4,000,000
Cigarette, Tobacco and Lottery Income Taxes	2,444,300
Federal Grant	<u>200,000,000</u>
TOTAL	\$230,304,900

SECTION 2. There is hereby appropriated the following amount to be transferred to the Public School Income Fund for the period July 1, 2014, through June 30, 2015:

FROM:

General Fund	\$23,860,600
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SECTION 3. There is hereby appropriated to the Public Schools Educational Support Program/Division of Children's Programs the following amount to be expended from the listed funds for the period July 1, 2014, through June 30, 2015:

FROM:

Public School Income Fund	\$30,304,900
Federal Grant	<u>200,000,000</u>
TOTAL	\$230,304,900

SECTION 4. The Idaho Digital Learning Academy (IDLA), created pursuant to Chapter 55, Title 33, Idaho Code, shall utilize state appropriated funds for the period July 1, 2014, through June 30, 2015, to achieve the following:

(1) Tuition charged by IDLA to Idaho school districts and charter schools shall not exceed \$75 per enrollment.

(2) Provide remedial coursework for students failing to achieve proficiency in one or more areas of Idaho's standards-based tests.

(3) Pursuant to the fiscal impact statement for the State Board of Education rule, IDAPA 08.02.03, Docket Number 08-0203-0605, provide advanced learning opportunities for students.

(4) Pursuant to State Board of Education rule, IDAPA 08.02.03, Docket Number 08-0203-0605, work with institutions of higher education to provide dual credit coursework.

The preceding list shall not be construed as excluding other instruction and training that may be provided by the Idaho Digital Learning Academy.

SECTION 5. Notwithstanding the provisions of any law to the contrary, of the moneys appropriated in Section 3 of this act, up to \$2,165,700 from funds determined by available tobacco, cigarette and lottery income tax revenues accruing, appropriated or distributed to the Public School Income Fund pursuant to Sections 63-2506, 63-2552A, 63-3035A and 63-3067, Idaho Code, for the period July 1, 2014, through June 30, 2015, shall be distributed to school districts and charter schools through a combination of a base amount of \$2,000 plus a prorated amount based on the prior year's average daily attendance. Such funds shall be used to develop and implement school safety improvements and/or to facilitate and provide substance abuse prevention programs in the public school system. Additionally, \$200,000 shall be remitted to the Idaho State Police to increase toxicology lab capacity in the Bureau of Forensic Services for drug testing pursuant to Section 63-2552A, Idaho Code, and \$78,600 shall be remitted to the Commission on Hispanic Affairs on or before July 15, 2014, to be used for substance abuse prevention efforts in collaboration with the State Department of Education.

SECTION 6. Of the moneys appropriated in Section 3 of this act, \$6,440,000 shall be distributed for literacy programs, as outlined in Sections 33-1207A(2), 33-1614 and 33-1615, Idaho Code; remedial coursework for students failing to achieve proficiency on Idaho's standards-based achievement tests; and computerized remediation services for schools in dollar amounts determined by the superintendent of public instruction. The superintendent shall report to the Joint Finance-Appropriations Committee and the Senate and House Education committees by no later than February 1, 2016, on the uses of funds and effectiveness of the programs and efforts.

1 SECTION 7. Pursuant to Section 33-1617, Idaho Code, of the moneys ap-
2 propriated in Section 3 of this act, \$3,950,000 shall be distributed for
3 support of programs for students with non-English or limited English profi-
4 ciency, as follows:

5 (1) The State Department of Education shall distribute \$3,500,000 to
6 school districts pro rata, based upon the population of limited English pro-
7 ficient students under criteria established by the department.

8 (2) The State Department of Education shall distribute \$450,000 for
9 the competitive grant program to be distributed to school districts in which
10 the population of English language learners failed to meet Adequate Yearly
11 Progress (AYP) in math or reading, as defined in federal law. This amount
12 shall be distributed annually to school districts in three year grant cy-
13 cles, in which the recipients will receive full grant awards each of the
14 three years, contingent on appropriation.

15 (3) The department shall develop the program elements governing the use
16 of these funds, modeled on the training, intervention and remediation el-
17 ements of the literacy programs referenced in Section 6 of this act. The
18 purpose of these funds is to improve the English language skills of English
19 language learners and to enable such students to better access the educa-
20 tional opportunities offered in public schools. The superintendent of pub-
21 lic instruction shall report to the Joint Finance-Appropriations Committee
22 and the Senate and House Education committees by no later than February 1,
23 2016, on the program design, uses of funds and effectiveness of the program.

24 SECTION 8. It is legislative intent that the State Department of
25 Education shall compile information concerning the numbers of students en-
26 rolling in advanced opportunities courses according to the provisions of
27 Sections 33-1623, 33-1626 and 33-1628, Idaho Code, whether coursework is
28 successfully completed, and expenditures for fiscal year 2015. As nearly
29 as possible, the report shall contain information about enrollment of this
30 student population in post-high school education. A report containing such
31 information shall be posted on the website of the State Department of Educa-
32 tion no later than December 31, 2015.

33 SECTION 9. Of the moneys appropriated in Section 3 of this act,
34 \$4,000,000 of one-time moneys shall be distributed to school districts and
35 charter schools, based on average daily attendance, for the purchase of in-
36 structional content and curriculum, whether physical or electronic.

37 SECTION 10. For the purposes of this appropriation, the term "dis-
38 tributed" means moneys that are transferred to school districts and public
39 charter schools with no funds withheld for any other contract or administra-
40 tive costs.